


From: [Duchovnay, Andrew](#)
To: [McCool, Catherine](#)
Subject: FW: 2003 Rule language
Date: Tuesday, November 29, 2016 1:46:25 PM
Attachments: [Agricultural Point Source Briefing Paper for GC final.doc](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

From: Andrew Duchovnay [mailto:Duchovnay.Andrew@epamail.epa.gov]
Sent: Thursday, June 11, 2015 10:25 AM
To: Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
Subject: Fw: 2003 Rule language

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----- Forwarded by Andrew Duchovnay/R3/USEPA/US on 06/11/2015 10:24 AM -----

From: Simma Kupchan/DC/USEPA/US
To: Hema Subramanian/DC/USEPA/US@EPA,
Cc: Andrew Duchovnay/R3/USEPA/US@EPA, Ashley Toy/R3/USEPA/US@EPA, Melissa Katz/DC/USEPA/US@EPA
Date: 09/24/2012 02:37 PM
Subject: Re: 2003 Rule language

(See attached file: Agricultural Point Source Briefing Paper for GC final.doc)

Here you go - I'm sorry, I should have sent earlier.

Simma A. Kupchan
Water Law Office
EPA Office of General Counsel
Ariel Rios North, Room 7313A
(202) 564-3105

▼ Hema Subramanian---09/24/2012 02:26:36 PM---In this rule, EPA is clarifying how it believes the scope of regulated point source discharges from

From: Hema Subramanian/DC/USEPA/US
To: Melissa Katz/DC/USEPA/US@EPA, Simma Kupchan/DC/USEPA/US@EPA, Andrew Duchovnay/R3/USEPA/US@EPA, Ashley Toy/R3/USEPA/US@EPA
Date: 09/24/2012 02:26 PM
Subject: 2003 Rule language

In this rule, EPA is clarifying how it believes the scope of regulated point source discharges from a CAFO is limited by the agricultural storm water exemption. EPA does not intend its discussion of how the scope of point source discharges from a CAFO is limited by the agricultural storm water exemption to apply to discharges that do not occur as the result of land application of manure, litter, or process wastewater by a CAFO to land areas under its control and are thus not at least potentially CAFO point source discharges. In explaining how the scope of CAFO point source discharges is limited by the agricultural storm water exemption, EPA intends that this limitation will provide a "floor" for CAFOs that will ensure that, where a CAFO is land applying manure, litter, or process wastewater in accordance with site specific practices designed to ensure appropriate agricultural utilization of nutrients, no further effluent limitations will be authorized, for example, to ensure compliance with water

quality standards. Any remaining discharge of manure or process wastewaters would be covered by the agricultural storm water exemption and would be considered nonpoint source runoff. Further, the Agency does not intend that the limitation on the scope of CAFO point source discharges provided by the agricultural storm water exemption be in any way constrained, so long as manure, litter, or process wastewater is land applied by the CAFO in accordance with site specific nutrient management practices that ensure appropriate utilization of nutrients. In particular, EPA does not intend that the applicability of the agricultural storm water exemption to discharges from land application areas of a CAFO be constrained by requirements to control runoff resulting from the application of pesticides or other agricultural practices.

Hema Subramanian
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----- Forwarded by Hema Subramanian/DC/USEPA/US on 09/24/2012 02:25 PM -----



Mon
09/24/2012
1:30 PM -
2:30 PM
Attendance is for Hema Subramanian

Chair: **Melissa Katz/DC/USEPA/US**

No Location Information

Required: Amanda.Berman@usdoj.gov, Andrew Duchovnay/R3/USEPA/US@EPA, Ashley Toy/R3/USEPA/US@EPA, Simma Kupchan/DC/USEPA/US@EPA
Optional: Caitlin Conover/DC/USEPA/US@EPA, Hema Subramanian/DC/USEPA/US@EPA

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